THE HON'BLE SRI JUSTICE P.S.NARAYANA

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.9263 of 2007

Between:

Smt.Nazmeen. .. PETITIONER

versus

The Station House Officer, Amberpet
Police Station, Amberpet, Hyderabad,
and three others. .. RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

AND

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.9263 of 2007

ORDER:

This is a taken up Writ Petition, which was taken on file in pursuance of the telegram sent by the petitioner-Smt.Nazmeen, dated 19.4.2007, wherein it is prayed for issuance of a Writ of Habeas Corpus directing the respondents to produce the husband of the petitioner viz., Mohd. Azam, before this Court, who was arrested from their house at Yakutpura, Hyderabad and illegally detained since 17.4.2007 at 11 AM and obtained illegal gratification from B.Shashirekha and registered a false complaint by creating documents in favour of Shashikala, apprehending danger to his life and set him at liberty forthwith, and for such other suitable orders.

2. A counter affidavit is filed and in paragraph 4 it is stated that the alleged detenu is accused No.3 in crime No.78 of 2007 for the offence

under Section 420 read with Sections 511, 120(B), 506 read with Section 34 of the Indian Penal Code, which was registered by the 1st respondent Police on 9.3.2007. It is also stated that as per the case diary, the alleged detenu's name is Mohd. Azam alias Azam. It is further stated that including the alleged detenu, there are five accused in the above said crime and pursuant to the registration of the said crime, the alleged detenu was arrested on 18.4.2007 at 10.30 PM and subsequently on 19.4.2007 he was produced before IV Additional Chief Metropolitan Magistrate at Hyderabad at his residence at 10 PM with a request to grant him with judicial remand and the learned Magistrate directed the police to produce the alleged detenu before the Court on the next working day i.e., on 20.4.2007. It is stated that on such production of the alleged detenu before the Court, the learned Magistrate was pleased to remand him to judicial custody. However, on an application filed on behalf of the of the alleged detenu for his release, the learned Magistrate was pleased to enlarge him on bail on the same day with a condition that he has to appear before the 1st respondent-police on every Monday and Friday between 9 AM to 3 PM until further orders. Several other factual details had been narrated in paragraphs 5 to7 of the counter affidavit as well.

3. In the light of the averments made in the counter affidavit, no further orders need be passed in the present Writ Petition.

4. Accordingly, the Writ Petition is hereby closed.

P.S.NARAYANA, J.

NOOTY RAMAMOHANA RAO, J.

Dt:16.5.2007.
SSR/TSY